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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/669,764	
	Filing Date	September 24, 2003	
	First Named Inventor	Jeffrey M. Gross	
	Art Unit	Unknown	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	6+165	Attorney Docket Number	4002-3424/PC889.00

ENCLOSURES (Check all that apply)		
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Firm or individual name	Brad A. Schepers, Reg. No. 45,431 Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	
Date	October 14, 2003

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Date	October 14, 2003

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent Application:  
Jeffrey M. Gross et al.

Application No. 10/669,764

Filed September 24, 2003

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Before the Examiner  
Unknown

Group Art Unit Unknown

Our Ref.: 4002-3424/PC889.00

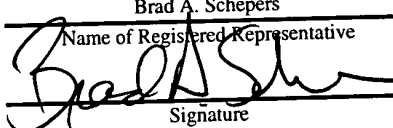
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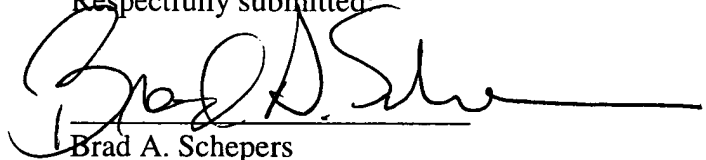
Pursuant to the duty of disclosure in accordance with 37 C.F.R. §1.56, Applicants wish to bring to the attention of the Examiner the items of information listed on the enclosed Information Disclosure Citation Form. This information has not been previously submitted in this application, and has not been cited previously by the Examiner. Copies of the cited items are enclosed in accordance with 37 C.F.R. § 1.98.

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The identified information, taken alone or in combination with other art, may provide information relating to the subject matter of the invention, but fails to teach, disclose or suggest the present invention. The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in § 1.56(b).

This Statement is being submitted under 37 CFR 1.97(b) within three months of the filing date of the subject application and prior to receipt of a first Office Action on the merits. Accordingly, it is believed that no fee is due. However, should any additional fee be required, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Brad A. Schepers', is written over a horizontal line.

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OCT 16 2003

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Sheet 1 of 3

Complete if Known

Application Number	10/669,764
Filing Date	September 24, 2003
First Named Inventor	Jeffrey M. Gross
Group Art Unit	
Examiner Name	
Attorney Docket Number	4002-3424/PC889.00

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		4,839,215	06/13/1989	Starling et al.	
		4,950,296	08/21/1990	McIntyre	
		5,507,813	04/16/1996	Dowd et al.	
		5,549,679	08/27/1996	Kuslich	
		5,571,189	11/05/1996	Kuslich	
		5,571,190	11/05/1996	Ulrich et al.	
		5,676,146	10/14/1997	Scarborough	and Reexam Cert. of 4/18/00
		5,782,830	07/21/1998	Farris	
		5,888,222	03/30/1999	Coates et al.	
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		5,989,289	11/23/1999	Coates et al.	
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		6,033,438	03/07/2000	Bianchi et al.	
		6,066,174	05/23/2000	Farris	
		6,090,998	07/18/2000	Grooms et al.	
		6,123,731	09/26/2000	Boyce et al.	
		6,146,420	11/14/2000	McKay	

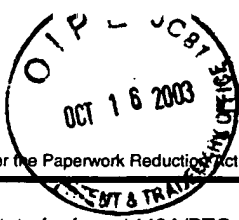
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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		WO 99/29271	06/17/1999			
		WO 00/30568	06/02/2000			
		WO 01/49220	07/12/2001			
		WO 01/66048	09/13/2001			
		WO 01/70136	09/27/2001			
		WO 01/78798	10/25/2001			
		WO 02/056800	07/25/2002			
		WO 02/064180	28/22/2002			

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Sheet 2 of 3

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Attorney Docket Number	4002-3424/PC889.00

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		Number-Kind Code <sup>2</sup> (if known)			
		6,149,688	11/21/2000	Brosnahan et al.	
		6,200,347	03/13/2001	Anderson et al.	
		6,270,528	08/07/2001	McKay	
		6,294,041	09/25/2001	Boyce et al.	
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		6,371,988	04/16/2002	Pafford et al.	
		6,379,385	04/30/2002	Kalas et al.	
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		6,468,311	10/22/2002	Boyd et al.	
		6,503,277	01/07/2003	Bonutti	
		6,558,424	05/06/2003	Thalgott	
		6,610,065	08/26/2003	Branch et al.	
		2001/0020186	09/06/2001	Boyce et al.	
		2001/0031254	10/18/2001	Bianchi et al.	
		2001/0032017	10/18/2001	Alfaro et al.	

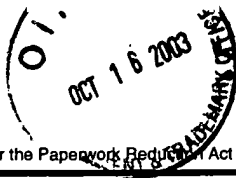
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		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		WO 02/065957	08/29/2002			
		WO 02/098329	12/12/2002			
		WO 02/098332	12/12/2002			
		WO 02/24122	03/28/2002			
		WO 02/24233	03/28/2002			
		WO 02/36049	05/10/2002			

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		Number-Kind Code <sup>2</sup> (if known)			
		2001/0039456	11/08/2001	Boyer, II et al.	
		2001/0039457	11/08/2001	Boyer, II et al.	
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		2003/0050708	03/13/2003	Bonutti	
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		2003/0069640	04/10/2003	Ferreira et al.	
		2003/0078661	04/24/2003	Houfburg	
		10/271,699		Boyd et al.	(filed 10/16/2002)

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